

**FAX TRANSMISSION**

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DATE: September 11, 2007

TOTAL PAGES INCLUDING
COVER PAGE: 14

TO: Commissioner for Patents, PCT Legal Staff
ATTN: James Thomson
FAX NO: (571) 273-0459

FROM: Harriet Strimpel, D.Phil.
FAX NO: (978) 356-5094

SUBJECT: Completion of Filing Requirements
Docket No. BH-003-PUS
First Named Inventor: Huimin Kong
International Application No.: PCT/US2005/009829
International Filing Date: 3/23/05
U.S. Serial No.: 10/594,095

RECEIVED
11 SEP 2007
Legal Staff
International Division

Please find attached the Completion of Filing Requirements with related documents.
These documents include the authorization to pay the required fee by debiting our
deposit account.

With thanks

Harriet Strimpel

Practitioner's Docket No. BH-003-PUS

CHAPTER II**IN THE UNITED STATES ELECTED OFFICE (EO/US)**

PCT/US05/009829	23 March 2005 (23.03.05)	25 March 2004 (25.03.04)
International Application No.	International Filing Date	Priority Date Claimed

Helicase-Dependent Amplification of Circular Nucleic Acids
Title of Invention

Biohelix Corporation; Kong, Huimin; Xu, Yan
Applicant(s)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371
DECLARATION OR OATH**

- I. No original declaration or oath was filed. Enclosed is the original declaration or oath for this application. We also enclose a corrected application data sheet, which now reflects the correct assignee (see also enclosed assignment).

Further, basic, examination, and search fees and fees for additional claims were unintentionally not paid in the national phase application. Therefore, we submitted a petition to reinstate unintentionally abandoned application. We submit previously unpaid fees herewith.

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper, along with any documents referred to, is being transmitted via facsimile to (571) 273-0459 to the Commissioner for Patents on this date 11 September 2007.

Date: 11 September 2007

Leslie Goldberg
Type or print name of person mailing paper


Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).*

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

FEES**II.**

1.	Basic National Fee	\$150.00
2.	Examination Fee	\$100.00
3.	Search fee	\$200.00
4.	Fees for claims	
	Each independent claim in excess of 3 (37 C.F.R. § 1.492(d))	\$100.00
	Each claim in excess of 20 (37 C.F.R. § 1.492(e))	\$50.00
5.	Surcharge fees	
	Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c) and § 1.492(h):	\$65.00
6.	Assignment for recording	\$40.00

Total Fees **\$705.00**

SMALL ENTITY STATUS

- III.** An assertion that this filing is by a small entity is being made now by paying the basic national fee as a small entity.

EXTENSION OF TIME

- IV.** The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

- V.** The total fee due is:

Completion fee(s) **\$705.00**

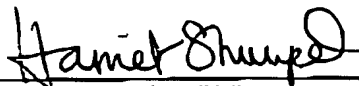
TOTAL FEE DUE \$705.00

PAYMENT OF FEES**VI.**

Please charge Deposit Account No. 14-0740 in the amount of \$705.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 14-0740.

Date: 11 September 2007



Harriet M. Strimpel, D.Phil.

Registration No. 37,008

New England Biolabs, Inc.

240 County Road

Ipswich, MA 01938

US

978-380-7373

Customer No. 28986

Practitioner's Docket No. BH-003-PUS

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a national stage of PCT application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Helicase-Dependent Amplification of Circular Nucleic Acids

SPECIFICATION IDENTIFICATION

The specification was described and claimed in PCT International Application No. PCT/US05/009829 filed on March 23, 2005.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. § 1.98.

PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d), (f) 172, and 365(a) and (b))

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Such applications have been filed as follows.

**PRIOR PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

INDICATE IF PCT	APPLICATION NUMBER	DATE OF FILING (DAY, MONTH, YEAR)	PRIORITY CLAIMED UNDER 37 U.S.C. SECTION 119
PCT	PCT/US05/009829	23 March 2005	yes

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

60/556,297

March 25, 2004

POWER OF ATTORNEY

I hereby appoint the practitioner(s) associated with Customer Number 28986 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

CUSTOMER NUMBER 28986

New England Biolabs, Inc.
240 County Road
Ipswich, MA 01938
US

Harriet M. Strimpel, D.Phil.
978-380-7373

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Huimin Kong

Inventor's signature

Date 10/6/2006

Country of Citizenship US

Residence Wenham, MA US

Post Office Address 5 Conrad Circle, Wenham, MA 01984 US

Yan Xu

Inventor's signature

Date 5/24/07

Country of Citizenship CN

Residence Hamilton, MA US

Post Office Address 24 Tally Ho Drive, Hamilton, MA 01982 US

Practitioner's Docket No. BH-003-PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Huimin Kong, Yan Xu

Application No.: 10/594,095

Filed: September 25, 2006

For: Helicase-Dependent Amplification of Circular Nucleic Acids

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

CORRECTED APPLICATION DATA SHEET
37 C.F.R. § 1.76

BIBLIOGRAPHIC DATA**1. Applicant information**

First applicant: Huimin Kong
Citizenship: US
Residence: 5 Conrad Circle, Wenham, MA 01984

Second applicant: Yan Xu
Citizenship: CN
Residence: 2 Tally Ho Drive, Hamilton, MA 01982

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)
with sufficient postage as first class mail.37 C.F.R. § 1.10*
X as "Express Mail Post Office to Addressee"
Mailing Label No. EB 041993575 US**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: 11 September 2007

Signature


Leslie Goldberg
(type or print name of person certifying)

* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(f). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. Correspondence information

Correspondence for this application should be addressed as follows:

New England Biolabs, Inc.
Attn: Harriet M. Strimpel, D.Phil.
240 County Road
Ipswich, MA 01938
Customer No.: 28986

3. Application information

Title of Invention: Helicase-Dependent Amplification of Circular Nucleic Acids

Docket number assigned to this application: BH-003-PUS

Total number of drawing sheets: 9

Type of application:

Utility

Application is to be published. Suggested drawing figure for publication: 2

Secrecy order under § 5.2:

This application does not disclose subject matter of an application, which is under a secrecy order pursuant to § 5.2.

4. Representative information

The following have a power of attorney or authorization of agent in this application:

Harriet M. Strimpel, D.Phil.
New England Biolabs, Inc.
240 County Road
Ipswich, MA 01938
Customer No.: 28986

5. Domestic Priority information

Domestic priority for this application is claimed as follows:

35 U.S.C. § 119(e): Application No.: 60/556,297
Filed: March 25, 2004
Status: used
Relationship: provisional claimed in PCT application

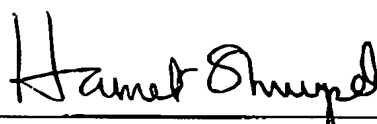
6. Assignee Information (now corrected)

The assignee(s) of this application is/are:

Biohelix Corporation
32 Tozer Road
Ipswich, MA 01938

Extent of interest of assignee in application: 100

Date: 11 September 2007



Harriet M. Strimpel, D.Phil.
Registration No. 37,008
New England Biolabs, Inc.
240 County Road
Ipswich, MA 01938
US
978-380-7373
Customer No. 28986

Form PTO-1595 (Rev. 08/05)
OMB No. 0651-0027 (exp. 6/30/2008)

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

Huimin Kong (10/6/06)

Yan Xu (5/21/07)

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) see above

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Joint Research Agreement

☐ Government Interest Assignment

☐ Executive Order 9424, Confirmatory License

☐ Other

2. Name and address of receiving party(ies)

Name: Biohelix Corporation

Internal Address: _____

Street Address: 32 Tozer Road

City: Beverly

State: MA

Country: _____ Zip: 01915

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

A. Patent Application No.(s)

10/594,095

☐ This document is being filed together with a new application.
B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Harriet M. Strimpel, D.Phil., New England Biolabs, Inc.

Internal Address: _____

Street Address: 240 County Road

City: Ipswich

State: MA

Zip: 01938

Phone Number: 978 380-7373

Fax Number: 978 380-7475

Email Address: _____

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00

☐ Authorized to be charged by credit card

☒ Authorized to be charged to deposit account

☐ Enclosed

☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____

Expiration Date _____

b. Deposit Account Number 14-0740

Authorized User Name Harriet Strimpel

9. Signature:

Harriet Strimpel

Signature

9/11/07

Date

Harriet M. Strimpel, D.Phil.

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1460, Alexandria, V.A. 22313-1460

Practitioner's Docket No. BH-003-PUS**PATENT**

For: U.S. Rights and Foreign Rights
For: U.S. Application
By: Inventors

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS:

Huimin Kong
5 Conrad Circle
Wenham, MA 01984

US
Nationality: US

Yan Xu
24 Tally Ho Drive
Hamilton, MA 01982

US
Nationality: CN

hereby sell, assign and transfer to

ASSIGNEE:

Biohelix Corporation
32 Tozer Road
Beverly, MA 01915
Nationality: MA

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

Helicase-Dependent Amplification of Circular Nucleic Acids

and which is found in (37 C.F.R. § 3.21) U.S. patent application serial number 10/594,095 filed September 25, 2006 and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, each assignor hereby executes this instrument on the date set forth below.

Date: Oct. 6, 2006


Signature of Huimin Kong

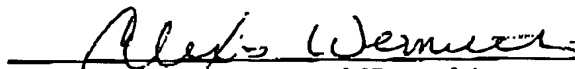
Details of County

Essex

and place of signing of assignment

Ipswich, MA

Before me this 6th day of October 2006, personally appeared the above named individual, to me known to be the person described in, and who executed the foregoing assignment instrument and acknowledged to me that he executed the same of his own free will for the purpose therein expressed.


Notary Public or Consular Officer of the
United States of America

My commission expires on 1/26/2012

Date:

5/21/07



Signature of Yan Xu

Details of County

Essex

and place of signing of assignment

Ipswich, MA

Before me this 21st day of May 20 07, personally appeared the above named individual, to me known to be the person described in, and who executed the foregoing assignment instrument and acknowledged to me that he executed the same of her own free will for the purpose therein expressed.

Notary Public or Consular Officer of the
United States of AmericaMy commission expires on 1/26/2012